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TO SCOWCROFT 23

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THE WHITE HOUSE
WASHINGTON

July 5, 1974

NOTE TO GENERAL SCOWCROFT

FROM: Colonel Kennedy

**The attached is transmitted to you
per Larry Eagleburger's request.**

July 3, 1974

DRAFT SHORT STATEMENT

Mr. Chairman and distinguished members of the Foreign Relations Committee.

I thank you for affording me this opportunity to review again with you my role in the national security wiretapping program of 1969-1970 and to review again with you other questions that have been raised. I requested this hearing, as stated in my letter to the Chairman of June 10, because news reports and editorial comments relating to my testimony before this Committee involved fundamental issues concerning the truthfulness and completeness of my testimony. Any question as to my credibility or lack of complete confidence of this Committee could adversely affect my ability, as Secretary of State, to carry on the foreign policy of our government.

The news reports and editorial comments I refer to were largely provoked by leaked documents, some of which were before this Committee at the time of my confirmation hearing, and others of which have not theretofore been seen by me or the members of this Committee. I think we have before us now all of the relevant documentary evidence extant, though it is obviously incomplete and to some extent contradictory.

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I would like first, in a general way, to review the background of the so-called wiretapping program and then to deal with the specific documents and other data that is now before us.

As I have noted in previous testimony before this Committee, in the early months of the Nixon Administration we were confronted with leaks to the press of documents of the greatest importance to the national security. I have already reviewed with you the nature of some of the leaks and the risks inherent in them. Various lists of the leaks have been prepared and are available. We at that time believed it vital to the security of the nation that the leaks be stopped.

In hindsight, we may have been overly apprehensive concerning the leaks, but I don't think so. We were a new Administration -- some of us, at least, without prior governmental executive experience. We were in the midst of a frightful war over which our people were acutely divided. Some were openly and actively opposing national actions being taken and long established policies in Southeast Asia. We had more than one-half million men in Vietnam, and we were desperately trying to find a way to conclude that terrible involvement without sacrificing those principles for which we went into

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Vietnam and which by the time the Nixon Administration came into office had escalated into a major war. Further, on these issues we were in virtual confrontation with the Soviet Union, facing the ever present danger of further involvement by the communist countries.

The idea of wiretapping has always been repulsive to me, but I reasoned then that the national security was paramount and outweighed my personal feelings and the personal unpleasantness I was caused by the operation. However, I did accept and I did cooperate with the implementation of the wiretapping program. As I have mentioned before, I was given to understand that wiretapping had been employed in prior administrations and that there were within the Department of Justice established procedures for the initiation and control of any taps.

It would be hard to say today who was more concerned than whom in the White House over the potential consequences of leaks of critical information. In my role as Assistant to the President for National Security Affairs, I discussed with him frequently the problem of the leaks, and he in turn, I understand, considered the matter extensively with the Attorney General and the Director of the FBI so that the FBI was fully alerted

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to our problems. We now know that before taps commenced, there were several conversations between the Director of the FBI and the President and, of course, many discussions between the President and the Attorney General.

I recall being called into a meeting in the Oval Office, with the Attorney General and Director Hoover present, at which the matter of stopping leaks was being discussed, including the employment of electronic surveillance. The President then and there decided or I was told that the decision had been taken to employ electronic surveillance in appropriate cases. My assignment was to furnish the names of my people who had access to information in the areas of the leaks. As I recall, the program of tapping was to include three categories and, as it developed, insofar as I know, it was confined to those categories.

In my testimony before this Committee, I placed the date of that meeting in early May and it was associated in my mind with a specific leak. I now find that my recollection as to the date of that meeting was incorrect -- it appears to have occurred on April 25, 1969, and was not precipitated by any particular leak but by prior leaks and general apprehension. The actual taps and my furnishing of names appears to have been

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triggered by a very important leak that occurred on May 9. On May 9, I was in Key Biscayne, Florida with the President. That morning a Beecher article appeared disclosing air strikes in Cambodia. As the papers we now have before us show, I called Director Hoover and requested that the source of the leak be determined. Mr. Hoover wrote five memoranda that day about steps that were being taken as a result of my telephone calls, but there was no mention of electronic surveillance.

Under date of May 13, Mr. Hoover wrote to me reporting on the FBI investigation of the Beecher leak and suggesting possible sources. At the end of this letter, he stated "... I have alerted our most sensitive sources for information of interest and you will be promptly advised when any relevant data is developed...." Strangely, the five internal memoranda written by Mr. Hoover on May 9 and his letter to me of May 13 are the only memoranda or communications by Mr. Hoover on this subject that have been found except for the formal tap authorizations and formal reports thereon.

We now know that at least one tap was in effect on May 9, 1969. Under date of May 11, an FBI internal memorandum by Mr. Sullivan reports that pursuant to a conversation with the Director that date, he was enclosing

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a memorandum for the Attorney General "which the Director may want to discuss personally with the Attorney General." The enclosed memorandum apparently requested technical surveillance on four individuals. Sullivan's memorandum states that "the requests emanated from Colonel Alexander M. Haig, who is assigned to Dr. Henry A. Kissinger's staff. Haig came to my office Saturday [May 10] to advise me the request was being made on the highest authority..." At the foot of the memorandum there is an "O.K." by "H". The "highest authority" is, of course, the President. Incidentally, regarding the scope of the program, in May 1973, the President stated as follows:

"Those wiretapped were selected on the basis of access to the information leaked, material in security files, and evidence that developed as the inquiry proceeded."

These were the established criteria as I have stated on several occasions and elaborated in the executive session of my confirmation hearings.

We had before us at the time of my confirmation hearings the formal requests of the Director of the FBI to the Attorney General for approval of telephone

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surveillance of seventeen individuals. Some of those formal requests have since been leaked to the press. These memoranda from the Director of the FBI to the Attorney General were in conformity with the established procedures within the Department of Justice which required the specific approval of the Attorney General for each wiretap.

The memoranda vary slightly in form, always stating, however, that someone outside the FBI had "requested" the telephone surveillance. Each of these "requests" and my role with respect to each tap authorized was reviewed at length in the executive session of my confirmation hearings. I have reread that testimony and find that my statements were complete and accurate insofar as I then knew or now know the facts, and none of the later disclosed documents adds anything material to what we knew at the time of my confirmation hearings. Nevertheless, I would like again to review with you briefly my connection with the respective taps and whether I "requested" or "initiated" or otherwise had the responsibility for the eventual taps.

I would like to repeat what I have said on a number of occasions, most recently before this Committee on June 7, 1974: I did not initiate, originate, or suggest the wiretapping program. Its genesis lay with

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others, and the decision to institute the program was taken by those who had the authority to do so, namely, the President, the Attorney General and the Director of the FBI. As I have also stated, I cooperated in carrying out the program and provided names of certain people within the categories to be covered by the program. My providing names did not necessarily mean that all would be tapped, as mine was not the sole input to the program. I did realize full well, however, and painfully, that as a consequence people on my staff, including close friends, would be tapped. I have felt that, in the context of the surveillance program and the authorizations given by those in authority, it could not fairly be said that I, Henry Kissinger, "initiated" or "requested" specific taps. On the other hand, my participation in the program did contribute to a number of the individual taps, and for that I have full responsibility.

Of the seventeen memoranda from the Director of the FBI to the Attorney General requesting authorizations for taps, one recites that the "request" was specifically made by me and two recite that the "request" was made by Haig on my behalf. Some of the memoranda recite that requests were made by Haig on the highest authority. Of some taps, I had no knowledge, as I stated in the

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executive session of my confirmation hearings.

The Director of the FBI addressed to me some thirty-seven reports on the electronic surveillance, which reports are now available to us. I saw some of these reports, and some of them bear my initials. Other reports, particularly those containing references to national security situations, were brought to my attention. Analysis of the reports addressed to me indicates that they related only to six of the seventeen persons under surveillance. As I have testified, after May 1970, my connection with internal security matters was terminated, and I was not thereafter in the channel of receiving reports.

A recent press story reported that "In a passage marked by garbled syntax, the unexpurgated House Judiciary Committee version of the transcript [of a conversation on February 28, 1973, between the President and John W. Dean] quotes the President as saying to Dean:"

"Henry (unintelligible) ... At least I know not because I know that I know that he asked that it be done. And I assumed that it was. Lake and Halperin. They're both bad. But the taps were, too"

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In reference to this alleged transcript, I can only say that my connection with the wiretap program is clear and fully supported. I don't think the President intended any implication otherwise -- assuming the correctness though incompleteness of the reported version of the President's remarks.

As to David Young and my connection with the plumbers, this has been a sore subject for me not only because I selected David Young and had the greatest confidence in him but because of the insinuations implied that my connection with David Young flowed through to a connection with the plumbers. Perhaps I am oversensitive to such insinuations, but I want my connection with David Young to be abundantly clear. I went into the subject at length in my press conference in Salzburg on June 11, 1974, and I would like to take the liberty of submitting the relevant parts of that press conference as my testimony before this Committee today. The statements are as follows:

Now let me turn to another matter that is also constantly being invoked: the issue of the plumbers and David Young. I testified before the Senate Foreign Relations Committee and I said in a press conference that I did not know about the existence of the plumbers by that or any other name. I did not know that David Young was working for the plumbers.

I said this under oath and I repeat it today. I hope none of you are ever in a position that you have to prove the negative of a knowledge.

Now, since then, various stories have come to the fore. There is the argument that I was responsible for the creation of the plumbers because of my concern about the theft of the Pentagon papers, a concern which was

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transmitted to the President. There is the argument that I misled the Senate Foreign Relations Committee because I did not tell the Senate Foreign Relations Committee that I had heard a tape in which David Young interviewed an admiral who had information with respect to his security.

There is the argument that I was on a helicopter ride with Mr. Ehrlichman in which the plumbers were discussed. Let me deal with these issues in order. It is perfectly true that I was profoundly disturbed by the publication of the Pentagon papers. Any Assistant to the President for National Security Affairs who was not concerned when 10,000 classified documents appeared in the public print would not be doing his duty. Nor can my concern be explained away by calling to the intrinsic insignificance of the individual documents or maybe the whole body of documents.

My concern was at that time we were preparing the secret trip to China. I was engaged in secret negotiations with North Vietnam that ultimately led to the end of the American participation in Vietnam. We were also engaged in secret discussions on strategic arms limitation. I was profoundly concerned and so expressed my views to the President that these initiatives might be aborted if other governments had the idea that the United States Government was not in a position to protect its secrets and that anybody could publish any document and then the proof of its intrinsic significance was left to the government.

I recognize that national security has been abused in recent years, but because there have been abuses does not mean that there was not justified concern by honorable people. It did not occur to me in expressing my concern that this might lead to the burglary of a doctor's office. It did occur to me that measures might be taken to protect the government against a recurrence of these leaks.

I was in China when David Young was assigned to Mr. Ehrlichman's office. I returned from China the morning of July 13 to learn that Mr. Ehrlichman had recruited one of my staff members. To this I expressed a strong objection. My impression was as I have testified publicly and as I here repeat, that Mr. Young was assigned to a declassification project that was to last three months and then was publicly announced. I had no reason in the world to deny knowledge of the existence of a group designed to prevent leaks because there was nothing wrong as such with attempting to prevent leaks.

What was wrong was some of the activities that were being conducted by the office. And Mr. Krogh, who headed the office, has publicly stated that I had no knowledge of its activities. So the only thing at issue is whether I deliberately lied about knowing about the existence of an organization, the substance of which by common agreement I had nothing to do with.

Mr. Ehrlichman describes three meetings, on the 13th, 15th and a subsequent date in July. He places me at only one of these meetings, on a helicopter ride from Los Angeles to San Clemente.

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My recollection of that day is that it was the day on which the President announced his China initiative and which I had just returned from China. After the China initiative was announced, the President, Mr. Haldeman, Mr. Ehrlichman, I think Mr. Scali and I went to a restaurant in Los Angeles to celebrate the events. We then spent a half hour to 40-minute helicopter ride from Los Angeles to San Clemente.

My only recollection of this helicopter ride is that Mr. Ehrlichman was needling me about not being able to use my staff properly and therefore having asked for the assignment of Mr. Young to his staff. I repeat, I have no recollection that the Plumbers, by that or any other name, were discussed on that helicopter ride, although I leave open the possibility that given the noise of a helicopter ride there may have been some misunderstanding.

But I do not use this as an alibi. I have no recollection of such a conversation and no one has ever placed me at any meeting of the Plumbers or any meeting where the Plumbers were discussed subsequently.

Now, let me turn to the question of whether the fact that I listened to a tape in which Mr. Young interviewed Admiral Welander indicated that I had been less than candid in testifying before the Senate Foreign Relations Committee.

The question which I answered before the Senate Foreign Relations Committee was as follows: "Did you, when he, namely David Young, left your employment and was transferred to Mr. Ehrlichman, have any idea at that time or any subsequent time that he was to be requested to engage in illegal activities, burglary, conspiracy to burglary or whatever they might be?"

This, ladies and gentlemen, is the question I was answering before the Senate Foreign Relations Committee, not the question whether I ever heard anything of David Young.

But I do not want to engage here in legal quibble. What did I know about the interview of David Young? In the fall of 1971 there were a series of massive leaks of National Security Council documents which appeared in the columns of Mr. Anderson. Some of them included verbatim summaries of meetings of subordinate bodies of the National Security Council.

I was told at that time by Mr. Ehrlichman that he was conducting the investigation and that I was to have nothing to do with any part of that investigation. As a result, a member of my staff, Admiral Welander, reported to General Haig that he concluded from the internal evidence of some of the documents that had leaked that they must have come from this office. General Haig asked me what to do with this and I told General Haig to send Admiral Welander to Mr. Ehrlichman.

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Some weeks later, Mr. Ehrlichman called me to his office and played for me the tape that included the questioning of Admiral Welander by David Young. I knew, of course, that David Young was working for Mr. Ehrlichman. But to conclude from this fact that a one-time interview of an individual that my office had discovered and my office had sent to Mr. Ehrlichman; to conclude from this fact either that Mr. Young was conducting a security investigation or even more, that Mr. Young was conducting security investigations as his regular activity is inconceivable.

If Mr. Ehrlichman had sent somebody to my office for an interview, I would certainly have assigned a staff member to that task and it would have been impossible to draw from that the implication that this was my staff member's full time duty.

At the time of the press conference in which David Young's name was raised, I did not know that he wrote a report on his investigation. Of course, I had never seen that report.

Since then I have seen the report in the form of a diary which was submitted to the Senate Armed Services Committee and it makes clear that at no time during this investigation did David Young have any contact with me whatsoever; did David Young talk to me or communicate with me.

SUPPLEMENTARY STATEMENT FOR THE RECORD

THE BACKGROUND

The early months of this Administration were particularly sensitive times in the formulation of this country's foreign policies and the establishment of our future relations with other nations. During this period, basic changes in policies were being considered which would establish fundamental approaches to major foreign policy issues such as the United States' strategic posture, Strategic Arms Limitation Talks (SALT), China, Vietnam and many other national security issues. Because of the sensitive nature of these matters, we earnestly believed that secrecy was of vital importance and that the success or failure of particular initiatives could depend on the maintenance of the necessary security. Nevertheless, we found ourselves immediately confronted with persistent leaks to the press of the most sensitive information.

Specific leaks prior to the initiation of the wiretap program included:

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- leaks in February and April regarding NSC deliberations on the Middle East and North Korea
- an article by Max Frankel in the April 6, 1969 New York Times regarding consideration of the unilateral withdrawal from Vietnam
- an article by William Beecher appearing in the May 1, 1969 New York Times accurately summarizing a study of our strategic force posture
- another article by William Beecher appearing in the May 9 New York Times revealing that the U.S. had been secretly bombing North Vietnamese sanctuaries in Cambodia.

As I have stated on many previous occasions, these leaks were of profound concern to me. My concern was not merely over the fact that the contents of one or another secret document became public, although I do not want to minimize my vigorous reaction to particular leaks. My more important concern was with the cumulative effect of the leaks and their implications for our negotiating ability. We feared that other governments would conclude that they could not negotiate important matters in confidence with the United States.

The series of leaks stimulated considerable agitation in the White House. As I testified before, we were a new administration, there were profound divisions in the country and in those circumstances the leaks took on an extraordinary significance.

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As the President's National Security Adviser, it was my duty to call the President's attention to this problem.*

ORIGIN OF THE PROGRAM

The wiretap program with which we are all now familiar had its origin in a White House meeting called by the President which included the Attorney General, the Director of the FBI, Mr. Haldeman and myself. Questions have been raised with respect to precisely when this meeting took place. In the interest of completeness

*12, 55, 61, 68, 70

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I would like now to review what I have said in the past on this matter, supplementing the record where appropriate on the basis of documents which have been examined since my confirmation hearings.

In the open session of those hearings I described this meeting as follows:

"In early May 1969, the President consulted the then Director of the FBI and the Attorney General about the best methods to deal with this problem. He was told that the most effective method was to apply procedures that had been followed also in previous administrations; that is to say, to tap individuals according to specific procedures. He was assured by the then Attorney General that this procedure met the legal requirements.*

In the September 17 executive session I expanded on this statement twice naming the participants in the meeting and setting its date at May 9, 1969. First, there was a colloquy with Senator Case:

"Senator Case. Yes, I would like to run over these several taps with you in relation to the matter of the leaks. The first one on the record was one of Beecher." As to that, may I just draw your attention to the fact that in general your explanation of the initiation of this procedure was that you had been concerned about it, you talked about it with the President, a meeting was held of you and the President and Mr. Mitchell.

"Mr. Kissinger. Hoover.

"Senator Case. And Mr. Hoover and that apparently was on the 9th of May.

"Mr. Kissinger. Or whatever the day was that that leak occurred.

*Confirmation Hearings, Open Session, p. 11.

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"Senator Case. At least, in any event, you met on the 9th of May with Hoover and that may have been the only meeting you had with him but anyway, you met with him. The reason I make the point, one of those taps, that of William Beecher of the Times, was instituted by the request made on May 2nd of that year and I wonder if you could give an explanation of who initiated that.*

"Mr. Kissinger. To the best of my knowledge --

"Senator Case. It was stated that it was requested by General Haig, that is to say, your alter-ego, I guess, on behalf of the President. I wondered if you could go into it.

"Mr. Kissinger. If it happened before that meeting, then I have no explanation for it because the first time I heard of wiretapping was at that meeting.

"Now, I think the easy way to check it is to find out when that Beecher story appeared that dealt with Cambodia, and whenever that story appeared was the date that my knowledge of the program begins. I was unaware of any wiretapping prior to that story. And, therefore, I would have no explanation for it.*

Later that day, in response to a question from Senator Muskie, I reconfirmed my earlier statement regarding the participants in this meeting:

"Senator Muskie

"First of all, with respect to this program of wiretapping, did it, in fact, begin with your

*Confirmation Hearings, Executive Session, Confidential Transcript, p. 12-13. Note that this colloquy was based on the erroneous assumption that the tap on Mr. Beecher had begun on May 2, 1969, whereas in fact the tap began on May 2, 1970. Also, the substance of this testimony had been conveyed to Senators Case and Sparkman earlier.

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meeting with Mr. Hoover on or about May 9, 1969? You testified that it was your impression at the time that it was an on-going kind of practice and procedure and policy but this particular program of wiretapping relating to leaks concerning you and others in the Administration.

"Did this program begin on or about that time?

"Mr. Kissinger. Senator, my knowledge of the beginning of the program is a meeting that was called by the President and included the Attorney General, the Director of the FBI, Mr. Haldeman and myself. . . .

"The origin of this particular program was a meeting in the President's office which I have described to you, and in which the President ordered the use of wiretaps, and in which my contribution was to describe leaks that had occurred. . . ."

I most recently testified on this matter on June 7, 1974, in the course the Committee's hearing on the Foreign Assistance bill. At that time I referred to my testimony of last September and said that

". . . the program of wiretapping that was instituted was decided upon at a meeting between the President, the Attorney General, and the Director of the Federal Bureau of Investigation and I was informed that this

*Confirmation Hearings, Executive Session, Confidential Transcript, p. 122-123.

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program had been decided upon ... I was told that this program was consistent with policies of previous Administrations, and ... I was asked to supply the names of people who had had access to documents that were leaked.*

Finally, I last mentioned this meeting in my press conference in Salzburg on June 11, 1974. At that time I said, in response to a question about the three categories of persons to be tapped:

"These three criteria were established at the meeting attended by the President, the Attorney General, and the Director of the FBI. I do not remember which of the three individuals gave the precise order, but I understood the order to come from the President."**

The information now available to me and to this committee is, I believe, consistent with my previous statements on this matter, except that, in the colloquy with Senator Case I identified May 9 as the date of the decisive meeting. At this time, I was speaking on the basis of my best recollection and without reference to documents. A subsequent review of White House, FBI and Justice Department logs indicates that Messrs. Mitchell, Haldeman and I were with the President in Key Biscayne on May 9, and Mr. Hoover was in Washington. Thus the meeting, which I distinctly recall as being in the Oval

* Testimony before the SFRC, Executive Session, June 7, 1974, Confidential Transcript, page ____.

** Press Conference of June 11, 1974, Initial Transcript, page 16.

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Office, could not have occurred on that day; and my recollection in the discussion with Senator Case, that it occurred on the day of the May 9 Beecher story on Cambodia, was incorrect. My review of the logs has also permitted me to reconstruct the date of that meeting and the surrounding circumstances with more precision.

Based on the now available data, it now appears that the meeting I recall must have been on April 25, 1969. On that afternoon, Director of the FBI Mr. Hoover, then Attorney General Mitchell, the President and I were all at the White House before Messrs. Mitchell and Hoover left the White House in a helicopter for Camp David. As I recall, the meeting was in progress when I was called in, although the sketchy logs available do not confirm that the meeting was in fact held -- nor do they refute it. When I arrived I was told -- I do not remember by whom -- that they had been discussing the problem of the security leaks and that the decision had been made to authorize wiretaps of persons falling into any of three categories for the purpose of determining the sources of the leaks. I was also told that this was the most effective method available, that it had been used in previous administrations, and that it was legal. Finally, I was asked to supply the names of individuals falling into one of the three categories -- those with access to information which had leaked.

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THE THREE CRITERIA

Some questions have been raised with regard to the categories of persons whose phones were to be tapped in this program. Specifically, it is claimed that there are inconsistencies in the record regarding the identification of these categories. While there are literally different descriptions of "categories" or "criteria" in the record, I believe that the differences are insubstantial as the following review indicates.

The first statement on the record regarding the criteria (or categories -- the terms were often used interchangeably) used in selecting the persons to be tapped is the President's statement of May 22, 1973. In that statement he sets forth

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the criteria as follows: "Those wiretapped were selected on the basis of access to the information leaked, material in security files, and evidence that developed as the inquiry proceeded."* These were the established criteria as I recall them.

My first statement on this subject was in the open session of my confirmation hearings. On that occasion, in response to a question by the Chairman, I said:

"Certain criteria were then [following the President's consultations with Messrs. Hoover and Mitchell] established, to follow precise procedures. These criteria were access to information that had leaked, and also information that might be developed in the course of the investigation."**

I did not have the President's prior statement in front of me, and I inadvertantly mentioned only two of the three criteria. However, when the question came up again in the course of the same hearings, I accurately relayed the three criteria in an executive session colloquy with Senator Case:

*Statements by the President, Presidential Documents, Vol. 9, No. 1, p. 694.

**Confirmation Hearings, Open Session, p. 12.

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"Mr. Kissinger . . . When the system of wire-taps was instituted, one of the categories that was instituted was that the FBI would be authorized to tap those people who had unfavorable information in their security files.

"Senator Case. Was this in connection with the leaks again?

"Mr. Kissinger. No, that was in connection with the general propensity to leak.

"Senator Case. So it is a part of the same general program of which the basic rationale was prevention of leaks?

"Mr. Kissinger. That is correct. That was part of the same general program. . . .

* * * *

"Senator Case. You do recall, Dr. Kissinger, adding Mr. Sonnenfeldt to the list.

"Mr. Kissinger. No, I do not recall. Once the categories were established, there was a certain automaticity about it, because either somebody had access to the information or he did not; either somebody had adverse information in his security file or he did not.

"Senator Case. Now, there are two categories --

"Mr. Kissinger. So it did not require an additional decision to communicate.

"Senator Case. There are two categories, one person who had access to information which had been leaked.

"Mr. Kissinger. That is right.

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"Senator Case. And another, this category, was added at Mr. Hoover's suggestion, as I recall it.

"Mr. Kissinger. Three categories, Senator Case.

"Senator Case. The second one, that is to say, one who had adverse information in his security file, and that applied to Sonnenfeldt, and the third category, you were about to give it.

"Mr. Kissinger. A third person and I would prefer not to use his name --

"Senator Case. We will get to that.

"Mr. Kissinger. The third category was those individuals who would be discovered by the FBI.

"Senator Case. By the FBI?

"Mr. Kissinger. By the FBI as a result of their investigations."*

As you know, then Attorney General Richardson also testified on this subject in executive session. He presented yet a third set of categories:

1. Governmental employees who had access to sensitive information;
2. Newsmen who had printed leaked information;
3. Governmental employees who were discovered from the taps themselves as possibly involved in the leaks.**

*Confirmation Hearings, Executive Session, Confidential Transcript, pp. 20-21.

**Confirmation Hearings, Executive Session, Published Transcript, p. 269.

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I do not wish to speak for Mr. Richardson on this subject, but I would point out that Mr. Richardson does not say in his testimony that these three categories were used to determine who would be tapped. Rather, he states only that "[t]he individuals tapped fell into three categories." All of the tapped individuals fall into one of Mr. Richardson's three categories.

I am not aware of any statements having been made regarding the criteria since my confirmation hearings which are at variance with the President's statement of May 22, 1973. In view of the fact that the three criteria were publicly known as a result of the President's prior statement, and in view of the full record of the testimony, I trust that the Committee will agree that I was not intentionally misleading them when I responded to the Chairman's question and that the record presents a fair description of the criteria used for selecting persons who would be tapped.

INITIATION OF WIRETAPS

I have already discussed the series of leaks which precipitated the wiretap program and my role in bringing these leaks to the President's attention. I have also discussed in detail the meeting which, as far as I can determine, produced the Presidential decision to resort to wiretaps as a means of dealing

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with this problem and which resulted in my being requested to supply the names of persons who met the first criterion, namely those having access to information which had leaked. Thus, with respect to the matter of the initiation

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of wiretaps, it remains only for me to address the question of whether this was the limit of my role. Again, I would like to review the record.

In my opening remarks to this committee in the executive session of my confirmation hearings I said:

" . . . I never recommended the practice of wiretapping. I was aware of it, and I went along with it to the extent of supplying the names of the people who had had access to the sensitive documents in question. Despite some newspaper reports, I never recommended it, urged it, or took it anywhere. Indeed, the thought that I might be in a position to do this in the fourth month of a new administration which I joined as an outsider is in itself inconceivable."*

This statement accurately reflects my role in the initiation of the wiretap program. I reaffirmed this position just last June 7 before this committee in the following exchange with Senator Muskie:

"Senator Muskie. Let me put the question that keeps bobbing up. Did you yourself initiate and originate the recommendation that the wiretap program be initiated?

"Secretary Kissinger. I did not."**

*Confirmation Hearings, Executive Session, Published Transcript, p. 292.

**Hearings on Foreign Assistance Bill, Executive Session, June 7, 1974, Confidential Transcript, p. ____.

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In his executive session appearance at my confirmation hearings, Attorney General Richardson, testifying with the benefit of access to all the FBI documents now available to this Committee, twice supported the view that my role in the initiation of this program was the limited one I have described.

Reading from a prepared statement he said:

"As best can be determined from the FBI records, Dr. Kissinger's role included expressing concern over leaks of sensitive material and when this concern was coupled with that of the President and transmitted to the Director of the FBI, it led to efforts to stem the leaks, which efforts included some wiretaps of Government employees and newsmen. His role further involved the supplying to the FBI of names of individuals in the Government who had access to sensitive information and occasional review of information generated by the program to determine its usefulness."*

A little further on, the Chairman asked "[d]oes it appear that Dr. Kissinger went to the President and asked for these taps?" Mr. Richardson's answered: "No."

In spite of this testimony, it has been claimed on the basis of portions of various documents which

*Confirmation Hearings, Executive Session, Published Transcript, p. 269.

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have been leaked to the press, that somehow I was responsible for the initiation of this program. I believe that the above testimony provides an adequate answer to this allegation. However, the very FBI memoranda cited to support this claim provide even more compelling evidence of its inaccuracy.

For example, Mr. Hoover's May 9, 1969, memoranda regarding our telephone conversations of that date clearly indicate that I was very concerned about leaks in general and the leak which had appeared in that morning's New York Times in particular. That should not come as a surprise -- my concern over leaks has been a matter of record from the beginning. The most striking fact about these memoranda is what they omit -- nowhere is the subject of wiretapping mentioned, although other FBI records indicate that one of the taps had already been initiated on or before that date. In addition, Mr. Hoover's May 13, 1969, letter to me, which I showed to Senators Sparkman and Case last September, describes the outcome of the FBI's preliminary inquiries into the matter of who might be responsible for the leaks and concludes by informing me that, in view of the results of a conversation with an unnamed source, Mr. Hoover had alerted his "most sensitive sources" -- i.e., wiretaps. Clearly, if this letter indicates anything on the point of initiation, it indicates

that the first taps were begun as a result of an FBI investigation, not because I had requested them.

Finally, I feel that, in the interest of completeness, I should restate my reaction to the excerpt from a tape of a conversation between the President and John Dean on March ____, 1973. The context of the remark, and hence its meaning, is obscure because it occurs in the middle of a conversation a large part of which is labeled "unintelligible." Even if the excerpt represents a fair interpretation of what the President said, the only explanation I have is that the President's remark (which was made over four years after the events in question) was based on an inaccurate recollection or inference (possibly derived from my vigorous reaction to the leaks) or some other misapprehension.

REQUESTS FOR SPECIFIC TAPS

The next area which I should like to address concerns the questions which are still being raised as to whether I "initiated" or "requested" specific wiretaps. There is very little I can add to the exhaustive discussion of this subject which was carried on in the executive session of my confirmation hearings.

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I was not naive about this matter. When I submitted names, I knew that an investigation was certain and a wiretap probable.* Insofar as my submission of a name triggered events resulting in a wiretap, it could be said that the submission "initiated" the tap. The fundamental point, however, is that I did not take the initiative for these taps, advocate them, push them, or -- I don't know a better word -- request them. I submitted names, pursuant to the Presidential decision, and I did not and do not consider that my compliance with that decision constituted a "request" by me for any wiretaps.**

I am fully aware, as I was last September, that many of the FBI authorization memoranda state that General Haig or I "requested" specific taps. As you know, this matter was discussed at length in my confirmation hearings, not only by me, but also by then Attorney General Richardson and the former Acting Director of the FBI William Ruckelshaus. Since

*Salzburg Press Conference, Initial Transcript, p. 4.

**In this regard, see confirmation hearing testimony as follows:

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I know no more today than I did then about the FBI's use of the "request" term, I can do no more in the way of answering the questions which have been raised than review the earlier testimony.

Because of their knowledge of FBI procedures, and their familiarity with the documents, the testimony of Messrs. Richardson and Ruckelshaus on this subject certainly deserves special attention. In the executive session of my confirmation hearings, Mr. Richardson said that insofar as he could reconstruct what he called the picture as a whole, it did not appear that I had initiated any request for taps.* He also explained that this "request" format appears to have been used by the FBI "even in instances where it is quite clear on the record as a whole that the Director himself was likely to have been the originator of a specific suggestion".**

* Confirmation Hearings, Executive Session, Published Transcript, p. 277.

** Confirmation Hearings, Executive Session, Richardson-Ruckelshaus Testimony (Unpublished), p. _____.

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Mr. Ruckelshaus gave an even more detailed description of the pertinent FBI procedures in a later colloquy with Senators Scott and Case:

"Senator Scott: Finally, I think what the Attorney General was explaining a little while back ought to be revised, as I understand it the then director had a custom that even though an FBI investigation might be made anyway, even though an FBI investigation might have resulted from a meeting of in which a dozen people were present, the director had a custom of securing by suggestion or telephone or initiative on his part the name of somebody as an originator. He liked to have an originator, wasn't that it?

"Mr. Ruckelshaus. That is correct. Senator, I might elaborate on that --

"Senator Case. This would be kind of nice to have on the record, too, you know.

"Mr. Ruckelshaus. However, having been a Director of the FBI for 75 days, I know that the general procedure in the FBI was that, where a given national security wiretap was originated by information the FBI had, there was a very elaborate request made of the Attorney General justifying his authorization for a given tap, but where the FBI received a request from the National Security Council, this elaboration was not, as a rule, made.

"Senator Case. Could that elaborate procedure be avoided by having a Director get Henry Kissinger to say "Let me have the dope?"

"Mr. Ruckelshaus. Sure.

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"Senator Case. In other words, the authorizing document does not necessarily, in itself, tell the full story.

"Mr. Ruckelshaus. That's possible.*

Since my own brief statements on the general subject of the FBI's use of the term "request" add nothing to the testimony quoted above, I see no point in reviewing them here. It is sufficient to note that those statements are consistent with the views expressed by Messrs. Richardson and Ruckelshaus.

In view of the specific questions which have arisen in the press, on the basis of the FBI authorization memoranda, regarding my role in the initiation of certain specific taps, I believe it would be useful to review the record of my role in each of these taps. As you know, this matter was discussed at considerable length during my confirmation hearings and I continue to be very concerned that this type of discussion be confidential to protect the individuals involved.***

*Confirmation Hearings, Executive Session, published transcript p. 284.

**E.g., my statements in Executive Session, at p. 325 (Published Transcript) and my statements at pp. 128, 15, and 22-23 (Confidential Transcript).

***Confirmation Hearings, Executive Session, Confidential Transcript, pp. 10-49.

The first authorization memorandum deals with Messrs. Halperin, Sonnenfeldt, Davidson and Pursley.* Dr. Halperin had been a high Defense Department official in the Kennedy and Johnson Administrations whose expertise and ability I valued for my own staff. In the course of seeking to hire him, however, I encountered objections from the FBI on alleged security grounds. I did not consider these grounds justified, and ultimately I had to expressly overrule the objections of the security personnel (and my colleagues at the White House) to take Dr. Halperin on my staff. [check accuracy]

Dr. Halperin served as Chief of the National Security Council Planning Group and, in this capacity, was involved in National Security Council policy reviews and studies. In addition, he frequently attended National Security Council Review Group Meetings which considered a variety of subjects, including the United States' strategic posture, strategic arms negotiations, Vietnam and the Middle East, to name only a few. Dr. Halperin also participated in the preparation of

*Memo for the Attorney General from Mr. Hoover, May 12, 1969.

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papers for the President's use at meetings with the National Security Council covering a wide range of issues. While performing the above responsibilities, Dr. Halperin devoted particular attention to several speciality areas, including the United States' strategic posture, the SALT negotiations and the war^{at} in Vietnam. Consequently, Dr. Halperin had access to information which was being leaked. He clearly fell within the first criterion and his name was one of those on the list sent to the FBI [and his name would have been on the list sent to the FBI but for the fact that the FBI was already acting against him]. He also had information in his security file which the FBI considered adverse. [check accuracy]

On May 13, 1969, I received a letter from Director Hoover referring to our telephone conversation of May 9 and reiterating that, on the basis of independent information available to him, it appeared probable that recent leaks had come "from a staff member such as Morton H. Halperin of the National Security Council . . . could be the source of a leak" and that he therefore had alerted the Bureau's "most sensitive sources" (i.e., electronic surveillance). As I have already noted, Mr. Hoover's memoranda regarding our telephone conversations of May 9 and this letter indicate to me that the FBI was carrying out the President's decision

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with vigour and without any prodding from my office.

I also note that, in Dr. Halperin's case there is some confusion as to the dates on which electronic surveillance began. The authorization for the wire-tap on him was signed by the Attorney General on May 12; the Director of the FBI met with General Haig on May 10; but, according to the FBI, the tap was placed no later than the evening of May 9.

Mr. Sonnenfeld's situation was similar to that of Mr. Halperin. He had access to relevant information which was being leaked [we should be able to describe specifically the areas] and he had information in his security files which the FBI considered to be adverse. [check accuracy] As I testified before, I was not naive in this case -- I fully expected that Mr. Sonnenfeldt would be tapped as a result of this program. I did not request it; I did not like it; but I expected it would happen. He had been wiretapped before, and I had to overrule the security people to hire him in the first place. [check for accuracy] As was the case with Mr. Halperin, my judgment was as much at stake as Mr. Sonnenfeldt's reliability, and I believe both were vindicated in the process.

As to General Pursley I can only speculate -- he had access to all the information flowing to the Department of Defense from the NSC. He would accordingly have been included in the list of names

in category one. Similarly, Mr. Davidson had been intimately involved in the Paris peace negotiations in the Johnson Administration and had access to information regarding Vietnam. [My decision to hire him had been challenged by the security personnel and/or my White House colleagues -- check accuracy -- and I do not believe that there is anything which I can add to what I have told the Committee before.]

Mr. Richard Mosse and Mr. Richard Sneider were also among those whose taps my office, i.e., General Haig, is said to have requested in May of 1969.

Mr. Moose had been on the NSC staff during the Johnson Administration, and I brought him back to serve as Executive Director (?) of the NSC staff. Thus he had access to the entire flow of papers to and from my office. His name would have been automatically included in the list because of his access. Mr. Sneider was a career foreign service officer whom I brought to the NSC and put in charge of East Asian problems on my staff. Thus, he too had access to information which had been the subject of leaks to the press, and his name must have been automatically included in the list sent to the FBI. I do not remember specifically seeing a piece of paper transmitting the names of these individuals,* nor do I recall seeing any reports on them.

*We assume this is true. No information is yet available regarding the contents of the list or lists and how they were transmitted to the FBI.

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They would have been automatically involved in the process because of their access to information and their relatively high position in the staff hierarchy. As you will recall we limited the number of names transmitted to those who were in charge of particular areas -- otherwise the numbers would have been unreasonably large and unmanageable.

The remaining 1969 wiretaps which are said to have been requested by General Hair or, in one case, by me involve newsmen. As to Henry Brandon, he was a personal friend of mine, a person with whom I would have conversed many times on the phone. He would not have been on any list sent to the FBI by my office since those names were limited to members of the NSC staff [Pursley?], but the authorization memorandum states that he was in contact with one of the others who had been tapped. Hence he would have fallen within category three. I have also been informed that the FBI had information on Brandon which indicated possible foreign intelligence connections. Thus they had independent grounds to conduct the tap. I do not know of any connection with my office.

Hederick Smith wrote a story on June 3 regarding possible removal of nuclear weapons from Okinawa and a

story on June 4 regarding possible unilateral withdrawal from Vietnam. Both stories were based on leaks of sensitive NSC information. The FBI authorization memorandum states that Smith had contact with others who were tapped. I do not have any independent knowledge of that, nor do I have any recollection of any telephone call or other action which the FBI could have construed as confirmation of their authority to initiate this tap or which they otherwise could have interpreted as a "request" by me for this tap. As you know I had a meeting with Director Hoover on June 4, at which I suggested terminating the taps as soon as possible. My "talking points" for the meeting indicate that the discussion centered on Davidson, Halperin and Sonnenfeldt; there is no mention of Smith. Neither do I remember any mention of Smith's name by Mr. Hoover.

As to Mr. Safire, I have nothing to add to what you already know. According to the FBI authorization memorandum he was in contact with Henry Brandon and gave some advance information on a Presidential speech -- thus he, like Brandon and Smith, may have been in the third category, but I do not know of any connection with my office.

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The 1970 taps involve six individuals following newspaper leaks at the time of the Cambodian incursion. On May 4, according to four identical authorization memoranda, General Haig requested taps of Messrs. Pursley, Beecher, Pedersen and Sullivan. I have already discussed Pursley and have nothing to add in connection with the second tap on him. Beecher may have been selected because he was an acquaintance of Halperin or because of contacts with other people who were being tapped -- I simply do not know. Whatever the reason for this tap, as in the case of the journalists in 1969, I do not know of any connection with my office. Mr. Pedersen was Counselor of the Department of State and served as a point of contact for the Department with the NSC. As such he had access to the full flow of papers between the NSC and the Department. Accordingly, he would have fallen within the first category, and his name presumably was transmitted or became known to the FBI as part of the automatic process -- once categories were established they take on a life of their own and a certain automaticity develops.

Mr. Sullivan was Chairman of the Vietnam Working Group and therefore had access to all the NSC papers dealing with Vietnam, Laos and Cambodia. Since the leaks at the time concerned Cambodia, he naturally fell within category one and I assume that this provided the basis for his tap.

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The final two taps involved are those of Tony Lake and Winston Lord. Mr. Lake was my personal assistant and had access to all the information in my office. He was therefore squarely within the first criterion. In addition, there was, as I explained earlier, another dimension in that he resigned in protest against the Cambodia incursion at about the time when the tap was initiated. As I said in my confirmation hearings: "I think you will appreciate that within the White House my own judgment in hiring him was not exactly applauded. So we had a potential security problem here in the sense that a man had resigned in strong opposition to the President's policy but was still continued on the staff in a sensitive position and, moreover, still had all the files."* Mr. Lord replaced Tony Lake as my personal assistant and thus had access to the same spectrum of information. This must have furnished the basis for tapping him. I cannot recall any telephone conversation or other action, other than the supplying of names, which the FBI could have construed as being a "request" by me for these taps.

*Confirmation Hearings, Executive Session, Confidential Transcript, p. 24.

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In conclusion on this point I can only speculate as to the use of the term "request" in the FBI authorization memoranda. My recollection of the procedures in my office and the surrounding circumstances indicate to me that the standard recitation of a "request" from General Haig or me should not be taken literally, but instead should be viewed as terminology adopted to accommodate internal FBI procedures, based on a combination of the initial Presidential order and the submission of names by my office. I can imagine no other plausible explanation for the use of that language.

EXTENT OF INVOLVEMENT AFTER INITIATION

In my confirmation hearings I made several statements indicating that my continuing involvement in this program was of a very limited nature and that after May of 1970 I was hardly involved at all. Such information as has come to our attention since last September confirms the accuracy of that earlier testimony.

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Early in the open session of my confirmation hearings I gave a complete and accurate statement of my continuing involvement in the wiretap program:

"After wiretaps were placed on certain individuals. I was not necessarily informed of the fact that a wiretap had been placed. The FBI would send a report to my office if the telephone conversation included information that in the judgment of the FBI contained NSC information. In other words, we did not receive reports on conversations in general. We did not receive regular reports about the contents of these conversations. My office received reports only when, in the judgment of the FBI, something was said that might involve national security information.

"These reports were screened by General Haig, and if in his judgment they contained information of sufficient seriousness that they might warrant action, they were brought to my attention.

"In other words, the result of this double screening, first by the FBI and then by my own staff, was that I saw very few of these reports myself, and then only if, in the judgment of both the FBI and of my staff, my staff in this case being General Haig, they contained information of sufficient seriousness that action might have to be considered.

"After some months of this procedure, in the summer of 1970 it was decided that the internal security aspects of national security should be separated from the foreign policy aspects, in other words, that my office should no longer have anything to do with the internal security aspects of national security. From then on all these reports went to Mr. Haldeman's office and

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not to mine. Also, from that time on my office did not participate in any of the other internal security operations that have recently come to public attention.

"Informal liaison was maintained, however, in the one area that had predated this decision, between General Haig and Mr. Sullivan of the FBI. If the wiretaps that continued developed information of sufficient gravity, Inspector Sullivan would call up General Haig and either inform him of that fact or call his attention to the fact that a report containing that information had been sent to Mr. Haldeman.

"At this point I remember only one such event, but there may have been others."*

This matter was, of course, addressed at other points in my testimony,** but I do not propose to repeat those statements here. Again, I believe they were all completely consistent with my opening remarks.

The collection of letters from Director Hoover to me summarizing information obtained from various taps, which I believe you have seen, supports my earlier recollections. My office received 37 such

*Confirmation Hearings, Open Session, p. 12.

**E.g., statements in executive session at p. 329 and p. 330 of published transcript and at p. 29 and p. 40 of the confidential transcript.

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summaries in the period from May 13, 1969 to May 12, 1970. As far as I have been able to determine, I actually saw fewer than one quarter of these summaries. After May 12, I believe I received one other such report, though I cannot now locate it. This, in addition to my drawing various security leaks to the attention of the President and supplying the names of persons with access to leaked information, constitutes the full scope of my involvement in this wiretap program.

TERMINATION OF TAPS

Another point should be addressed. It has been reported that other internal FBI memoranda, though not the authorization memoranda, indicate that on at least one occasion I was personally responsible for terminating two of the taps and for continuing those on Messrs. Halperin and Brandon.* I have no recollection of this. In my executive session testimony I said that I never had any knowledge of when a tap was terminated and that I was not involved in termination decisions.**

*Memorandum from Hoover to Mitchell, September 15, 1969. This memorandum indicates that HAK wished all wiretaps installed at his request discontinued except those on Halperin and Brandon. This apparently resulted in the termination of the taps on Davidson and Safire.

**Confirmation Hearings, Executive Session, Confidential Transcript, p. 14. See also statements in Executive Session at pp. 26 and 36.

At the time in question I was merely receiving reports of information deemed by the FBI to be relevant to national security concerns. I did express to Mr. Hoover at a June 4 meeting the view that the taps in general should be stopped as soon as possible.* But I was never informed of the termination of particular taps. Furthermore, it is inconceivable to me that I would have urged the continuation of taps of close colleagues or friends as has been alleged in the press. As I have indicated above (1) I had hired Mr. Halperin over the strenuous objections of the security personnel, so it would not have reflected well on my judgment to have him implicated and (2) Mr. Brandon was a good, personal friend.

*Talking points for June 4, 1969, meeting.

ACTIVITIES OF DAVID YOUNG

Finally, I wish to recapitulate my testimony concerning my knowledge of the activities of David Young. David Young worked as appointments secretary to me for approximately one year, from January 1970 to January 1971. For personal reasons he requested a transfer to more substantive work which, however, was not then available. He worked in the NSC files through June 1971 when, I was told, he was to be transferred to work with Mr. Ehrlichman on a three-months project to revise the declassification procedures of the Government. The transfer occurred in June 1971, while I was on my first secret trip to China.

During my appearance before this Committee on January 29 of this year I said on this matter:

"I stand by every word I have said before the Committee. I did not know about the 'Plumbers,' I did not know that David Young's assignments included investigation of internal security matters. It was my belief that David Young was assigned to John Ehrlichman's staff to work on declassification and whatever other assignments John Ehrlichman might give him, but I did not know what these other assignments were.

"I stated before the Committee, and I repeat again, that based on my recollection and on my logs, which is the only evidence I now have, I never saw David Young after he left my staff, I never telephoned David Young after he left my staff, and I never communicated by any other means with David Young after he left my staff.

"I received from David Young three memoranda after he left my staff. They are dated May 11, 1972; June 15, 1972; and August 11, 1972. Each of them dealt with declassification. I had no other communication with David Young.

"It is, of course, not precluded -- because my logs would not show it -- that I ran into him in the halls of the White House on some occasion, or at a cocktail party. I have no such recollection, but I do want to leave some margin, since something of that sort could have occurred. But I have no recollection of any meetings with David Young until he had resigned in March of 1973 and asked me whether I could help him find another job.

"He came to me because, as I have told this Committee, I had brought him to Washington to work for me originally.

"The only other memorandum in my files dealing with David Young is a note to me from General Haig on December 13, 1971, which put through a routine promotion for Young. I wrote on that note 'Why are we carrying him when he is working for Ehrlichman?' These are all the records that I have on David Young."

I will reiterate now that I stand by this statement and all others which I have made to this Committee regarding David Young and my knowledge of his activities.

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Since my January 29 statement Mr. Ehrlichman has filed an affidavit in connection with recent court proceedings which discusses the creation of the "Plumbers." According to that affidavit, on July 2, 1971, the President ordered the recruitment of a person to assume full responsibility for investigating "the Ellsberg case," on July 9 David Young was proposed for this responsibility, and on July 12 the decision was made to make Young and Krogh jointly responsible for this investigation. I was on the trip to China throughout this period, returning to San Clemente on July 13. On my return I was told of Mr. Young's permanent assignment to Mr. Ehrlichman's office. To this I strongly objected since I had assumed that Young would be detached only for three months and I did not like the idea of losing him permanently.

On July 15 the President, Mr. Ehrlichman and I returned by helicopter to San Clemente from Los Angeles. The only recollection regarding David Young which I have during this trip is that Mr. Ehrlichman needled me about my loss of a staff man. I do not recall any discussion of the Plumbers, by that or any other name, on that trip, and in view of the fact that if followed a celebration dinner, on the occasion of the announcement of the President's China initiative, it seems to me inherently doubtful that anything very substantive would have been discussed.

CONCLUSION

In conclusion, I would like to say something about the information available to us concerning the wiretap program, first at the time of my original testimony, and now. When I appeared before this Committee last September my knowledge of the program, and hence my testimony, depended entirely on my recollection of the 1969 events, supplemented by my own personal files and the 29 page FBI memorandum which Senators Sparkman and Case were also shown. Since that time, a variety of supposedly new FBI documents have been furnished to the press, thereby precipitating the discussion today.

I should first like to point out that, with the exception of the confusion over the date of the meeting at which the program was authorized, the differences which are supposed to exist between my testimony and the information contained in the leaked FBI documents were apparent last fall, both to me and to this Committee, and, as I have pointed out earlier, they were fully discussed at that time by me, by Attorney General Richardson and by Deputy Attorney General Ruckelshaus. In addition, in connection with this hearing, a substantial body of additional documents and relevant information has been made available. With this information, we are in a better

position now to reconstruct the events of 1969 than we were last fall. Nevertheless, although the new information has sharpened out understanding of points of detail, such as the date of the decisive Presidential meeting, it does not change one bit the substance of my previous testimony. To the contrary, the additional information reinforces the substantial accuracy of my prior recollections.

Mr. Chairman, I have now testified more than _____ hours on this subject before your Committee. I have answered every question and addressed every point to the best of my ability. I have testified truthfully. I can say no more. In scrutinizing the transcript of these discussions, there will always be nuances, or sentences out of context, which can give rise to interminable questions. I do not suggest that the press should not probe. And I do not ask that Secretaries of State not be criticized. But I do ask that my veracity before this Committee and before the American people not be at issue, that I not be required to conduct my office under charges of perjury. I therefore reaffirm my testimony to this Committee and I ask that this Committee reaffirm its confidence in me.